

MINUTE ENTRY

9:20 a.m.

UNITED STATES OF AMERICA -v- ZHENG, Wen Jian

PRESENT: HON. ALEX R. MUNSON, Chief Judge Presiding  
SANAE SHMULL, Court Reporter  
K. LYNN LEMIEUX, Courtroom Deputy  
JAMIE BOWERS, Assistant U. S. Attorney  
JOSEPH CAMACHO, Counsel for Defendant  
ZHENG, Wen Jian, Defendant

PROCEEDING: SENTENCING

Defendant was present with his court appointed counsel, Attorney Joseph Camacho. Government by Jamie Bowers, AUSA. Also present was U.S. Probation Officer, Margarita Wonenberg.

Aby Leong was sworn as interpreter/translator of the Mandarin language.

No objection by the government of the presentence report. Counsel for defendant had no objections.

Court adopted the presentence investigation report and instructed the Clerk to file the report, under seal, and that the report be made available if the judgment is appealed. The probation officer's recommendation shall also be placed under seal. No objection by the parties.

Government had no objection to the advisory guidelines that the Court intends to be guided; Defense had not objections. Court adopted the advisory guidelines.

Government recommended a sentence of imprisonment with credit for time served. Defense concurred.

SENTENCE: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant ZHENG, WEN JIAN is hereby sentenced to a term of 12 months imprisonment with credit for time served. Following release from imprisonment, the defendant shall be placed on supervised release for a term of two years which would require that he comply with the following conditions:

1. That the defendant shall be delivered to a duly authorized immigration official for deportation proceedings pursuant to 18 U.S.C. Â§3583(d) and with the established procedures provided by the Immigration and Naturalization Act under 8 U. S.C. Â§1101, and in accordance with Title 3. Commonwealth Code Â§4340. As a further condition of supervised release, if ordered deported, he shall remain outside the united States and its territories including the Commonwealth of the Northern Mariana Islands, and shall not re-enter without the permission of the U.S. Attorney General. If deportation fails to occur and the defendant is released pending further disposition, he shall report immediately to the United States Probation Office to commence his term of supervised release;

2. The defendant shall not commit another federal, state, or local crime;

3. The defendant shall not unlawfully possess a controlled substance and shall refrain from any unlawful use of a controlled substance. He shall submit to one drug test within 15 days after sentencing and to at least two periodic drug tests thereafter for use of a controlled substance;

4. The defendant shall comply with the standard conditions of supervised release as set forth by the U.S. Sentencing Commission;

5. The defendant shall be prohibited from possessing a firearm or other dangerous weapon or have them where he resides; and

6. The defendant shall perform 200 hours of community service under the direction of the U.S. Probation Office.

It was further ordered that the defendant pay to the United States a special assessment fee of \$200 to be paid immediately after sentencing. All fines were waived.

No objection to the sentence by the attorneys. Defendant was advised that he had previously waived his right to appeal the sentence in this case but that if he or his attorney find any other reason in which to appeal that he had ten days in which to do so. Further, the defendant was advised of his right to an attorney for appeal.

Defendant was remanded into the custody of the U.S. Marshal.

Adj. 9:45 a.m.

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